

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-cr-238

UNITED STATES OF AMERICA)
)
 vs.) ORDER
 WENDELL JERROD ROBINSON (11))
 _____)

THIS MATTER is before the Court upon motion of the defendant pro se seeking credit against his sentence for time served on pretrial release. (Doc. No. 504).

The Supreme Court has held that only the Attorney General, through the Bureau of Prisons, may compute jail credit. United States v. Stubbs, No. 97-4948, 153 F.3d 724 (4th Cir. 1998) (unpublished) (citing United States v. Wilson, 503 U.S. 329, 112 S. Ct. 1351, 117 L. Ed.2d 593 (1992)); see also Randall v. Whelan, 938 F.2d 522 (4th Cir.1991) (BOP retains discretion to determine whether conditions of pretrial release warrant credit as jail time).

IT IS, THEREFORE, ORDERED, that the defendant's pro se motion for jail credit (Doc. No. 504) is DENIED.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation office.

Signed: September 28, 2012



Robert J. Conrad, Jr.
Chief United States District Judge
